IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1416 OF 2005

Convict No.C-2365,
Maruti Anna Pawar,
Presently in Kolhapur Central
prison, Kalamba, Dist.Kolhapur ..Petitioner

Vs.

State of Maharashtra ..Respondents

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Ms.Ruchita Dhuru,Advocate for Petitioner
Smt.U.V.Kejariwal A.P.P. for State

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CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.

DATE : MARCH 13, 2006

P.C.:

1. Heard the learned advocate for the petitioner and learned A.P.P. for the State.

2. This petition for furlough is sent by the convict-accused through Jail. The prayer for furlough was rejected on simple apprehension that if he is granted furlough, a serious and grave offence is likely to take place. We do not find any basis for this. The order rejecting the prayer

for furlough is therefore, wrong, illegal and deserves to be set aside.

2. Accordingly, the order rejecting the prayer for furlough, is set aside. Petitioner is entitled to the furlough as per Rules. Office to communicate this order to the petitioner through jailor immediately. Writ to be issued immediately.

3. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]